

## GREGG WINS FIGHT FOR PRISON MONEY

Contractor Who Built Walls Around Penitentiary at Last Gets Rest of Money Asked

After a legal fight spread over the past three or four years, A. N. Gregg, the contractor who constructed the walls around the prison at Florence, is to receive the balance which he has claimed has been due him. The supreme court yesterday decided that the ruling of Judge Stanford of the superior court of Maricopa, wherein he found that the \$11,742.28, which Gregg claimed was due him, had not been paid, although Gregg had signed a receipt in full, was correct, and affirmed the ruling of the lower court.

Gregg alleges in his petition to the supreme court that on the 28th day of February, 1910, he was paid by the then territory of Arizona the sum of \$14,774.20, for which he gave a written receipt, reciting that the sum was the balance due him, and in consideration of the payment he released the territory for all further liability. Gregg later claimed that the first sum paid him was not the full amount, but that in reality the territory owed him \$26,536.36 in form of a liquidated account unquestioned as to amount by the board of control.

Gregg claimed that the reason he signed the receipt in full, whereas he still had a good sum coming to him, was because of "financial embarrassment, inability to meet the demands of his creditors, threatened insolvency, loss of business reputation, misrepresentation by the board of control," and numerous other reasons.

The board never disputed the fact that he had more money coming to him, but they took the stand that as long as he had signed a receipt in full they had discharged the state's debt to him. This matter the supreme court has thrashed out and has decided that the signing of a receipt in full does not necessarily mean that the debt has been paid. In regard to this, Justice Ross, who wrote the decision, says: "The question then is, when a definite certain and liquidated amount is

found to be due and owing from a debtor to a creditor, will a receipt in full upon the payment of an amount less than the whole thereof, or should it be considered as only a partial payment of the debt, notwithstanding a receipt be given in full."

The chief justice then goes on to quote law, showing that such has not been proven in the case. In conclusion he states: "However we do not think the Territory of Arizona should undertake to shive or discount its obligations nor should it be allowed to plead a release of its indebtedness upon exhibiting a receipt for much less than the whole thereof."

## CHRISTIAN CHURCH HAS NEW PASTOR

Rev. W. S. Buchanan of Canton, Ohio Will Come Tonight

The First Christian Church of this city has been very fortunate in securing Rev. W. S. Buchanan of Canton, Ohio, as its new pastor.

Mr. Buchanan will arrive tonight over the Santa Fe and will preach his initial sermon at eleven a. m. on Sunday.

Mr. Buchanan has been a student in a number of prominent colleges



W. S. BUCHANAN  
New Pastor of First Christian Church

and was graduated from the Kentucky University of Lexington, Ky., where he later took a post-graduate course.

He has been pastor of several large churches in the east, such as Lake Charles, La., Marion, Indiana, Johnson City, Tenn., and Union City, Indiana.

Through his efforts, at the latter place, the membership of the church was more than doubled and the attendance of the Bible School increased from 14 to nearly 1200 in three years.

He became vice-president and secretary of the Phillips Bible Institution of Canton, Ohio, in July of 1915, which position he held at the time of his call to the Phoenix pulpit. He was induced to come to Phoenix on account of his son's health.

His wide experience and successful career as a minister evangelist and educator, assure the First Christian church of this city a successful future.

## OFFICERS HARD ON TRAIL OF RECRUITS

Adjutant General Is Sending Out Reserve Officers to Secure Enough Men to Fill Regiment

Starting this morning there will be a state wide canvass made for recruits to the First Arizona Regiment, now on the border at Douglas. Adjutant General Harris has called upon several officers heretofore on the reserve list. They have all responded and will be sent to practically every town in the state where there is a chance of getting men.

Lieutenant Shumhart, who is on the active list but who had not been assigned to a company, will leave this morning for Snowflake, Holbrook and Williams. Lieutenant Ming will go to

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MAY 15

## WHAT DID YE EVER DO FOR MOTHER ??????

Ten to one you've done mighty little.

Think of the times you've neglected her for "the girl"—think of the many sacrifices of time, money and pain she has given you—without any other return in sight excepting an unselfish mother's love.

Enough for the SERMON—you will admit you've been neglectful and given her the worst of it at every turn.

NOW IS THE TIME TO GET SQUARE—You cannot do a thing for her when she's gone. GET HER SOME LITTLE REMEMBRANCE TO SHOW HER YOU REMEMBER HER ON MOTHER'S DAY.

Then like all mothers—she'll forgive ALL.

FOR MOTHER'S DAY WE SUGGEST—A nice little VICTROLA and a few records—the outfit won't cost much—say under \$20 for the outfit—Twirl jolly her old soul every moment of the day, and she will point with pride to what her child gave her on MOTHER'S DAY.

(Throw Fathers Day in the Waste Basket—but keep Mothers on the desk.)

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## NATIVE JEMS

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Prescott, Jerome, Clarkdale and Flagstaff. Lieutenant Price will remain in Phoenix in charge of recruiting here but on the return of Lieutenant Shumhart, who will relieve him here, will proceed to Kingman, and Outman, Captain Knox will go to Globe and Miami, later going to Clifton. Lieutenant Bailey has been assigned to Yuma, while Lieutenant Meserve will have charge of recruiting in Tucson.

Tempe has not been forgotten. Sergeant Russell being assigned there. Captain Le Baron, of Mesa, will remain in his town for a few days and then will be ordered to other points. The Phoenix National Guard companies left here yesterday morning, 200 men short of the required quota. It will be necessary to recruit that number of men, before the local companies will be up to war strength.

Hire a little salesman at The Republican office. A want ad will see more customers than you can.

## "THEREBY" CASE HAUNTS JUDGE

Indiana Candidate May Hear From Voters in Election

The "thereby" case is returning to make trouble for a Republican nominee for judge of the state Supreme Court of Indiana.

A telephone company had stretched a wire across a street in Evansville and a man, driving along on a load of baled hay and failing to see the wire, was jerked by it from his wagon and severely hurt. He brought suit and obtained judgment for \$7,000. But the supreme court of the state, through Judge Montgomery, reversed the decision. The complaint had alleged that "he drove against and was caught by said wire and was thrown from his wagon." This complaint was faulty, the court held; it should have read, "was thereby thrown," etc. This was no longer ago than 1910. The Indianapolis News declared that "the ruling of the supreme court was supremely ridiculous."

Adverse comment was aroused by another decision handed down by the same judge, concerning the death of a man who, stopping on his way across a siding to avoid a passing train, was killed by a shunted car. The judgment obtained by his administrator was reversed, since the complaint had not shown the destination of the victim or that he intended to go over the crossing at the time. He might have been drawn there by curiosity; he might have been "loitering about the crossing or seeking shelter from the rain under the cars," the judge declared. This is known in

Hoosierdom as the "umbrella" case. From the New York Evening Post.

## Hayden Happenings

The Ray Mines team defeated the Smelter club team at the opening game of the season at the Hayden grounds on Wednesday afternoon. The score standing 7 to 2 in favor of the Mines team.

Like the opening game at Ray, that at Hayden was said to be a fine, clean, fast game which delighted all lovers of the sport.

On Sunday afternoon the Smelter vs. the Hayden Consolidated team played on the Hayden grounds was a very pretty game, won by the Smelter team 2 to 2.

As is usual, the on-lookers enjoyed the scrapping between the fans as much as the good fielding and hitting of the contesting players.

The "Divine Sara" appeared in the films as Jeanne Dore at the Hayden theater on Thursday evening, and giving every heart as the stricken mother of an erring son whose headlong career ended at the executioner's block. At the same time a heartbroken mother in this vicinity was before the court in Florence listening to a prison sentence against her son.

who has long been used. It is said by their neighbors as a tool of starveling men to rob his mother of her large cattle holdings. The court sentenced some of the lesser men who have robbed her to short prison sentences, but did not restore to her any of her fortune which they now possess.

Mr. and Mrs. Phillips have a new son at their home in North Hayden. He is a lusty youngster who declares he has come to stay.

Prof. Hall of the Tempe normal visited the Hayden schools last week, making a very good impression upon the students. He met many of his former pupils who are now teachers or matrons in new homes established here.

Mr. and Mrs. Frank Hanna returned home on Monday from a visit with friends and alumni associates in Tempe.

Ray McClure whose leg was crushed by a falling beam mere than four months ago, was able to report for work on Monday.

Dr. Norman and wife left Hayden on Saturday for other fields of labor. Dr. Norman has been the "Good Samaritan" to some of the lost and broken souls in Hayden and Winkelman. He has helped the wounded spirits of some as well as their injured bodies.

Dr. Gowan, lately of the Mesa South

Side Hospital of Mesa, arrived with his staff of nurses on May 1 and took up their new duties at the Hayden hospital where they have given the impression of being earnest, capable workers. The new nurses are Mrs. Niel, Misses Gertrude Green and Gertrude Dooley.

On Friday evening an immense crowd of pleasure seekers listened to the open air concert given by the Noc Yar band.

As large a throng attended the dance at the club grounds given by the same band on Saturday evening, where all the dancing set enjoyed themselves until the " wee wee" hours.

The week before the Mexican band gave a fine concert on Smelter hill, and all who listened said the Noc Yar club has a splendid rival.

On Saturday evening the Daughters of Rebecca received Mr. and Mrs. Morrison in their order at Odd Fellows hall. After the meeting, Mrs. Pauline Hutton, past noble grand, entertained about twenty Rebecas with their husbands and friends.

Delicious cream and cake were served. Those present had a most delightful evening which will cause them to go on a proselyting campaign.

Miss Grace Hudlow is visiting her parents E. M. and Mrs. Hudlow in North Hayden. She and her mother expect to leave shortly for a visit with relatives in Oklahoma.

Mrs. H. S. Ingalls is visiting the family of General Ingalls and other friends in Phoenix for a few days.

Bert Keppel died on Friday morning, May 5 at the Hayden hospital after an illness of several weeks. It is not known that he has any living relatives. He was in his early thirties had been an Odd Fellow for several years, also was a member of the Carpenter's Union in Miami. These two orders had cared for him during his long illness and the I. O. O. F. conducted the funeral services assisted by Rev. Morrison and a quartet of singers belonging to the Odd Fellow and Rebecca lodges. Rev. Morrison made a beautiful address to the

and the rituals of the order for the occasion were read by Past N. G. Warrington and Chaplain Stuchart. Forty Odd Fellows left work to escort the body to the burial grounds at Winkelman where the services were held. Quite a number of other people paid their last respects to the dead who had been highly respected by his comrades.

Thos. Haynes, who has been pharmacist at the Hayden Drug company store, has resigned his place to the great regret of the many customers of that popular store.

G. Wallace Pearce and Mrs. Laura Murdock surprised their many friends by taking Wednesday's train for Phoenix where they were married. On returning to Hayden they took possession of their new home in North Hayden which they had bought of Pharmacist Haynes. They have a pleasant cottage with a tiny garden.

Master Mechanic G. W. Wilkerson has bought the house, newly finished of Fellow and Rebecca lodges. Rev. Morrison made a beautiful address to the

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